

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  OFFICE OF CONSUMER ADVOCATE,  Complainant,  vs.  PROTEL ADVANTAGE, INC., d/b/a LONG DISTANCE SAVINGS,  Respondent.	DOCKET NO. FCU-03-64
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**ORDER GRANTING EXTENSION**

(Issued June 29, 2004)

On February 19, 2004, the undersigned administrative law judge issued a procedural order and notice of hearing in this docket. On March 5, 2004, the parties filed a joint motion for continuance, stating that the principal individual of Protel Advantage, Inc., d/b/a Long Distance Savings (Protel) had recently died and the future operations of the company, including the future processing of this case, were uncertain. The parties stated they agreed the circumstances constituted good cause for continuance and requested the procedural schedule be suspended. The request was granted and the procedural schedule was suspended in an order issued March 9, 2004. The order directed the parties to file a status report on or before June 1, 2004.

On June 1, 2004, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a status report and request for procedural schedule. The Consumer Advocate stated it had made several inquiries of counsel for Protel regarding how it wished to proceed with the case and had received no response and, therefore, requested a new procedural schedule. The undersigned issued an order requiring Protel to file a response to the Consumer Advocate's request for a procedural schedule and a status report regarding the company's circumstances on or before June 23, 2004.

On June 29, 2004, Protel filed a letter from its attorney Mr. Patrick Crocker requesting an extension of 14 days from the date of the letter (June 23, 2004) to file its response. The Consumer Advocate does not object to the request.

The request should be granted.

If an attorney is not licensed by the State of Iowa, permission to appear must be granted by the Board. 199 IAC 7.2(7)"e." A verified statement that contains the attorney's agreement to submit to and comply with the Iowa Code of Professional Responsibility for Lawyers must be filed with the Board and the written appearance of a resident attorney must be provided for service pursuant to Iowa Admission to the Bar rule 31.14(2).

**IT IS THEREFORE ORDERED:**

1. Mr. Crocker must comply with the requirements for out-of-state attorneys.

2. Protel's request for an extension is granted. Protel must file its response to the Consumer Advocate's request for a procedural schedule and provide a status report regarding the company on or before July 12, 2004.

3. If Protel files a request for an extension of time in the future, it must take care that the request is filed with the Board within the time limit for the filing. 199 IAC 1.8(1). Placement of the request in the U.S. mail by the date due does not comply with the rule. A link to the Board's rules is on the Board's website at [www.state.ia.us/iub](http://www.state.ia.us/iub).

**UTILITIES BOARD**

/s/ Amy L. Christensen  
Amy L. Christensen  
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 29<sup>th</sup> day of June, 2004.